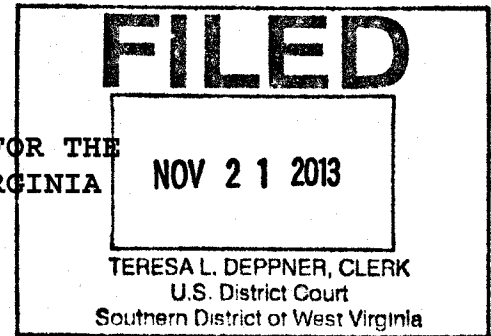


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:13-00300

18 U.S.C. § 1343

MARK R. TRUMP

I N F O R M A T I O N

The United States Attorney Charges:

Background

At all relevant times:

1. Cecil I. Walker Machinery Company (Walker Machinery) operated Walker Express stores (Walker Express). Walker Express rented construction equipment to customers. Walker Express had stores located throughout West Virginia, including a location in Crab Orchard, Raleigh County, West Virginia.

2. Defendant MARK R. TRUMP was an employee of Walker Machinery. Beginning in October 2008 and continuing until April 2012, defendant MARK R. TRUMP was the branch manager of the Crab Orchard Walker Express.

3. Defendant MARK R. TRUMP's responsibilities as the branch manager of the Crab Orchard Walker Express included

renting construction equipment to customers, collecting payment for the rentals, and processing and invoicing the accompanying rental agreements.

4. Each time a customer rented equipment from Walker Machinery, defendant MARK R. TRUMP entered customer information for the transaction into Walker Machinery's computer system and Walker Machinery's system used this information to generate a rental agreement.

The Scheme to Defraud

5. Beginning in 2009 and continuing through on or about April 20, 2012, defendant MARK R. TRUMP knowingly devised and intended to devise a scheme and artifice to defraud Walker Machinery, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises.

Manner and Means for Executing the Scheme

6. Defendant Mark R. Trump executed the scheme and artifice to defraud through the following and other manner and means:

a. It was a part of the scheme that when certain customers rented machinery from the Crab Orchard Walker Express, defendant MARK R. TRUMP gave these customers discounted rates on their rentals.

b. It was further a part of the scheme that these customers paid Mr. Trump directly either in cash or by personal check.

c. It was further a part of the scheme that defendant MARK R. TRUMP took steps to conceal the scheme from Walker Machinery. For example, when these customers returned the equipment, defendant MARK R. TRUMP did not invoice the rental for payment, which he ordinarily would have been required to do. Instead, defendant MARK R. TRUMP deleted the rental agreement from Walker Machinery's system, or he noted on the rental agreement that the transaction had been cancelled.

d. It was further a part of the scheme that defendant MARK R. TRUMP did not process the receiving paperwork through Walker Machinery's service department, as was required for all rentals.

e. It was further a part of the scheme that when these customers paid for the equipment rental, defendant MARK R. TRUMP deposited the check or cash used to pay for the rental into his personal bank account.

f. As a result of the scheme to defraud, defendant MARK R. TRUMP withdrew the cash and otherwise converted over

\$90,000 of the funds that belonged to Walker Machinery to his personal use.

g. As a result of the scheme to defraud Walker Machinery experienced a loss of approximately \$367,000.

Use of a Wire in Furtherance of the Scheme

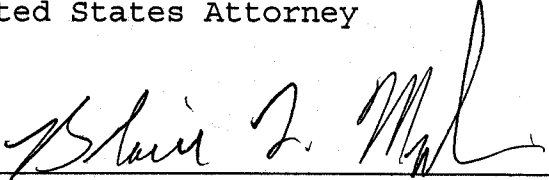
7. On or about November 14, 2011, at or near Crab Orchard, Raleigh County, West Virginia, within the Southern District of West Virginia, and elsewhere, for the purpose of executing the above-described scheme and artifice to defraud and to obtain money by means of materially false and fraudulent and fraudulent pretenses, representation and promises, defendant MARK R. TRUMP did knowingly transmit and cause to be transmitted, by means of a wire communication in interstate commerce, certain writings, signs, signals, pictures and sounds, that is, an internet transmission of a file containing customer information from Crab Orchard, West Virginia, to Walker Machinery's computer server located in Louisville, Kentucky, which, in part, directed Walker Machinery's computer server to create rental agreement number R54053 for the customer's equipment rental in Crab Orchard, West Virginia.

In violation of Title 18, United States Code, Section 1343.

UNITED STATES OF AMERICA

R. BOOTH GOODWIN II
United States Attorney

By:



Blaire L. Malkin
Assistant United States Attorney